

# **Participation of experts and professionals in investigations**

## **Abstract**

The topic of the thesis is the involvement of experts and professionals in criminal investigations. It is a compilation work, using the content analysis of books, internet, and magazine sources. Following a brief background on the history of experts' activities, it focuses on the legal regulation of experts / expert witnesses and their conduct, in particular in criminal proceedings. Making use of professional literature, applicable legislation, and her own experience in pre-trial proceedings, the author defines the basic concepts of using experts in criminal investigations. Terms such as a professional, consultant to a body involved in criminal proceedings, expert witness, expert institute, expert opinion, and professional opinion are described in detail. The thesis then outlines the options of using various expert activities in investigators' work. Referring to her practical experience, the author presents the most frequently used forms of cooperation with experts, and current trends in applying professional opinions in pre-trial proceedings. The thesis also deals with certain methods of obtaining and assessing evidence relevant for criminal investigation. The selection and appointment of an expert, and the structure of an expert opinion and of a professional opinion are described, from the procedural perspective. An important part of the thesis is an assessment of professional opinions and expert opinions, while the author emphasises the mutual relations and forms of cooperation between bodies involved in criminal proceedings. The author also points out some current issues with the use of experts, such as the possible overuse of experts and the transference of fundamental aspects of decision-making in criminal cases to experts. For this, she also makes use of the extensive debate engaged in currently by the professional public on the internet and in the media.

Over recent years an amendment to the Act on Experts and Interpreters No. 36/1967 Coll. has been in preparation, as the law has become outdated, in view of the time that has passed since its adoption. The amendment is to be passed in the upcoming months. The thesis thus also tackles some issues being discussed in connection with the proposed changes to legal provisions concerning experts' activities.